

**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: February 17, 2009

AGENDA TITLE: Consideration of a motion approving a city position on US 36 options

PRESENTER/S:

Jane S. Brautigam, City Manager
Stephanie A. Grainger, Deputy City Manager
Maureen Rait, Executive Director of Public Works
Tracy Winfree, Director of Public Works for Transportation
Michael Gardner Sweeney, Director of Public Works for Transportation (Acting)
Martha Roskowski, GO Boulder Program Manager

EXECUTIVE SUMMARY:

In this agenda item, the city is asked to state a position on including approval for bus-only auxiliary lanes on U.S. 36 between Table Mesa and McCaslin interchanges in the U.S. 36 Environmental Impact Statement (EIS). Council is also asked to consider principles of conditions and “triggers” that would apply to these lanes. These lanes would extend proposed climbing lanes in either direction, making them continuous between the two interchanges. These lanes would be exclusively used by buses to improve bus travel times on this section of U.S. 36.

Since the 1990s, processes have been underway to look at improvements on the U.S. 36 corridor. A Final EIS (FEIS) is due in late 2009. On the west end of the corridor, the city is on record with strong support for the building of a center managed lane for use by buses, carpools and toll-paying vehicles, and for construction of the Boulder-Denver bikeway. This Phase 1 package is the most viable for funding, has broad corridor support and aligns significantly with Boulder policies. The city of Boulder has strongly supported these improvements and their rapid deployment.

As part of a “Combined Alternative” agreement reached last year, the city also supported the building of climbing lanes to the top of Davidson Mesa in both directions in a later phase of improvements. Recently, the project team and corridor governments have been discussing whether the bus-only auxiliary lane should also be included in a later phase. Boulder’s policy direction to date has not addressed a position on this possibility.

STAFF RECOMMENDATION: Transportation staff believes that the benefits of the managed lane and bikeway (Phase 1 improvements) are significant, and that including the bus-only auxiliary lanes in the FEIS may be necessary to retain the corridor consensus essential to completing Phase 1 in a timely fashion. Therefore, Transportation staff recommends that City Council approve the inclusion of the auxiliary lanes in the FEIS, with strong conditions and triggers.

Suggested Motion Language:

Motion to support inclusion of bus-only auxiliary lanes in the U.S. 36 FEIS, with approved “Principles for Conditions and Triggers.”

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- **Economic:** The proposed multi-modal expansion of US 36 will be one of the single largest capital improvement projects in and adjacent to the city in recent years. It is expected to have significant economic impacts on all sectors of the regional and local economy. The construction of bus-only auxiliary lanes would be in later phases of the project, if ever.
- **Environmental:** The projects identified for US 36 will have significant environmental impacts, with the addition of bus-only auxiliary lanes adding to those impacts. The challenge will be in ensuring that the project creates a net environmental benefit by providing modal alternatives to single occupancy vehicle travel which further the goals of the city's transportation master plan and climate action plan, while protecting against unmitigated damage to the ecological and hydrological integrity of the city's open space lands.

Environmental costs of the bus-only auxiliary lanes include direct and permanent impacts to city open space, including wetlands, habitat for the Ute Ladies Tresses Orchid, habitat for Preble's Meadow Jumping Mouse, and Colorado State Natural Areas on city open space lands. There will also be temporary impacts due to construction on city open space. Other indirect impacts to the city's open space include increased likelihood for weed establishment and spread due to construction activities, construction related disturbances and potential contamination of South Boulder Creek. These impacts will be identified in the FEIS, with appropriate management and mitigation practices to help offset short and long-term environmental costs.

- **Social:** The proposed multi-modal expansion of US 36 should increase the range of travel alternatives available to all sectors of the community. Benefits of the bus-only auxiliary lanes provide some improvement to transit operations and efficiency to the communities along the US 36 corridor.

OTHER IMPACTS:

- **Fiscal:** No city funding is required during the EIS, and no local match has been proposed for the bus-only auxiliary lane. The Phase 1 improvements related to FasTracks do require a local match of 2.5%
- **Staff time:** Review, comment, and involvement in the EIS process has and will continue to require significant cross-departmental staff time. This is, however, part of staff's normal work plan.

BOARD AND COMMISSION FEEDBACK: Due to the short timeframe of this decision process, neither the Transportation Advisory Board nor the Open Space Board of Trustees has given input on this issue.

ANALYSIS:

Since August 2003, the U.S. 36 corridor has been the subject of an Environmental Impact Statement (EIS) study to identify multimodal transportation improvements between Denver and Boulder. The Preliminary Environmental Impact Statement (PEIS) was released in July 2007. In order to respond to that document in a timely fashion, City Council adopted "Response Guidelines" that laid out general policy direction for the EIS process. The PEIS identified various alternatives that could be constructed.

The U.S. 36 Project Team (led by CDOT and RTD with input from FHWA and FTA) encouraged local governments to come to agreement on a package of improvements that would be included in the FEIS. This was completed in July 2008 when Mayor Shaun McGrath signed a consensus document laying out the Combined Alternative for improvements on U.S. 36. Corridor governments, RTD, CDOT, FHWA and

FTA agreed on a general approach to improvements on U.S. 36. The main improvements slated for U.S. 36 between Boulder and Superior were a managed lane in both directions for buses, carpools and toll-paying vehicles; a bikeway; and climbing lanes to the top of Davidson Mesa in both directions.

The project team has identified phasing of the improvements:

- **Phase 1:** Managed Lanes from Federal Boulevard to Foothills Parkway/US-36 Improvements, Improvements at I-25/Broadway, Sheridan, Lowell and 92nd, Bikeway
- **Phase 2:** Remaining Combined Alternative Improvements from 92nd Ave to S 96th St
- **Phase 3:** Remaining Combined Alternative Improvements from S 96th St to Foothills Parkway and from 92nd Ave to I-25 (note: this would include climbing lanes to the top of Davidson Mesa, and the bus-only auxiliary lanes if conditions were met and triggers deemed them necessary)

The Phase 1 improvements align closely with city of Boulder policy direction, as the managed lane provides a significant travel time savings for transit riders, and the bikeway will complete an important missing link in the regional bikeway system, facilitating a multitude of middle-distance bicycle trips along the corridor. Boulder voters strongly supported the FasTracks ballot initiative, which provides significant funding for both the managed lanes and the bikeway.

The phases will be constructed as money is available. Phase 1 improvements are partially funded through FasTracks. Additional funding must still be identified in order to complete Phase 1, and later phases remain unfunded at this time.

THE QUESTION OF BUS-ONLY AUXILIARY LANES:

The managed lanes included in Phase 1 are envisioned to accommodate buses, carpools and toll-paying vehicles, with the toll-paying vehicles managed to insure efficient transit service. These lanes will provide excellent travel time savings for express buses traveling between Denver and Boulder, similar to today's BX service. However, some regional buses stop at several locations along the corridor. While it is possible that these regional buses could merge into the managed lanes, especially if traffic is heavy, under some conditions they will stay in the right lane. In that event, auxiliary lanes would speed their travel time.

To address this scenario, the Combined Alternative document (**Attachment A**) says the project team will:

- *Evaluate extension of climbing lanes on U.S. 36 between McCaslin Boulevard and Table Mesa to bus-only lanes as well as the use of shoulders for transit during peak travel periods. Identify 'triggers' for when this design approach would be considered.*

The motion being considered by council is intended to articulate the city's position on the issues raised in this bullet. The project team is proposing that the extension of the climbing lanes to "close the gap" be included in the environmental clearance in the FEIS, with language restricting the use to buses only, and with strict triggers on when construction of the extensions would be considered, as well as the other options that would be considered at the same time. In late January 2009, the corridor governments and project team began negotiating draft language that would codify this. Council is asked to provide guidance to the Boulder team (elected officials and staff) that is negotiating this agreement by amending and approving the "Principles for Conditions and Triggers" (**Attachment B**).

According to the project team's proposal, if agreement is reached,

...the US 36 FEIS will clear the footprint for a bus-only auxiliary lane to cover the "gap" between the end of the climbing lane and the beginning of the downstream interchange off-ramp deceleration lane. This gap is approximately 2,700 feet in the eastbound direction and approximately 8,000 feet in the westbound direction. The need for this bus-only continuous auxiliary lane will be expressed based on 2035 bus-related measures of effectiveness. The established need is based on the predictions in the 2035 analysis so the impacts of clearing the project footprint for bus-only auxiliary lane option plus any analysis of impacts and mitigation for those impacts will be a part of the FEIS.

Important items for council to consider in this decision include its level of comfort with the conditions and triggers, and whether the conditions and triggers will provide adequate protection that the lanes will not be extended without all other options being fully considered and that the lanes will not be opened to general-purpose traffic without further process. If council adopts the motion, the Boulder team will then base further negotiation with the project team and corridor coalition on the Principles of Conditions and Triggers. If the final wording does not align with the Principles, staff will then return to council to ask if council wishes to support, oppose or remain neutral on the negotiated document.

In making this decision, council should discuss whether they are comfortable accepting the additional environmental impacts that these lanes would create, in the event that they are built. The managed lanes provide the primary benefit to transit travel on the corridor, with bus-only auxiliary lanes providing some additional benefits to transit. Building these lanes could be seen as consistent with the goals of the Transportation Master Plan and Climate Action Plan to facilitate travel choices and reduce vehicle miles traveled (VMT). The lanes are probably not consistent with the goals of the Open Space Master Plan, given the additional impacts that accompany these lanes.

There is strong support for these lanes from much of the project team and other corridor governments, so a decision by Boulder to oppose these lanes could fracture the consensus model that has led the corridor to much success. If Boulder does not support clearing the lanes in the FEIS, two significantly different outcomes are possible (with many potential permutations). At this point, the Boulder team of elected officials and staff do not have a clear sense on which outcome is more likely. The two possible outcomes:

- The consensus model would be set aside. The FEIS does not require a consensus agreement, only buy-in from key players. Given that the project team and most other corridor governments favor additional lanes, it is possible they would proceed with an FEIS that provided environmental clearance for the auxiliary lanes, either for bus-only use or perhaps for general purpose use. Boulder would then need to consider its response, including whether to attempt to challenge the adoption of the FEIS, which would likely delay the process. Until the FEIS is adopted, no projects on corridor could proceed, including the managed lanes and the bikes, which Boulder supports.
- The project team and corridor governments might agree with a Boulder position to not clear the bus-only auxiliary lanes. Language would then be drafted to include triggers in the FEIS, but not environmental clearance. The triggers would identify a point at which, if reached, a new EIS analysis would begin to obtain environmental clearance for the lanes at a later day. This outcome would retain the corridor consensus model and allow the FEIS to be completed in a timely fashion without delays.

ISSUES TO CONSIDER:

The issues surrounding the options are complex. The following section provides a staff analysis of issues and implications.

Council response guidelines: Council approved “Response Guidelines” in June 2007 (**Attachment C**) laying out the city’s position on the improvements suggested by the EIS. In that document, council approved language that expressly opposed additional general purpose lanes, beyond the climbing lanes, between Table Mesa and McCaslin. The current proposal is to add the additional lanes for bus-only use, which is not directly addressed by the guidelines. From that document:

7. New General Purpose Lanes – The west end of US 36 functions as a transition zone from a highway US 36 to regional arterials (Table Mesa, 28th Street and Foothills Parkway) into the Boulder community. It is essential that this transition be managed in a way such that there be support for mode choice and that the local street system is not overly impacted by new traffic. Therefore, the city supports the creation of new acceleration/deceleration lanes from McCaslin to Table Mesa, but does not support the construction of new general purpose lanes westbound on this section of US 36, because general purpose lanes are not consistent with the goals and policy direction of the TMP, the street system in Boulder does not have adequate capacity to accommodate significant new traffic, and the environmental impacts of additional lanes should be avoided.

The Response Guidelines also emphasized the importance of the US 36 Mayors and Commissioners Coalition:

1. US 36 MCC - Maintain and support the regional coalition embodied by the US 36 Mayors and Commissioners Coalition (“MCC”). The MCC has been an effective and powerful voice advancing the interests and transportation solutions of the entire US 36 corridor. Without the coordinated efforts of the MCC, FasTracks plans and investments, the bikeway, the environmental studies, and fiscally constrained funding through DRCOG and the federal government would not have occurred.

Most of the U.S. 36 corridor governments are moving to supporting the language in the triggers document, as auxiliary lanes are being cleared for other stretches of the corridor. To date, the MCC has operated on a consensus model on U.S. 36 issues, which has given the coalition great strength.

Other relevant principles from the Guidelines include:

- 3. Consistency with Established Plans, Codes, Regulations and Policies*
- 4. Sufficiency of Analysis of Environmental and Community Impacts*

An argument for efficiency: If council accepts that the lanes make sense, on either a political level or to accommodate future need, then it is more efficient and practical to obtain environmental clearance for these lanes at this time. Obtaining environmental clearance at a later date would be a costly and lengthy process involving a wide range of partners.

Showing the need: In order to include environmental clearance in the FEIS, the project team must show that the environmental impacts of the project are justified. Recently, CDOT ran new analysis on the need for the lanes based on projected demand in the year 2035, looking at likely growth in jobs and population. CDOT looked at the impacts of opening the lanes to general traffic, or limiting their use to bus only. The fairly limited frequency of buses likely to use the lanes makes the bus-only use somewhat less justifiable than opening the lanes to general traffic. However, the project team believes they can craft an adequate statement of need to justify the bus-only lanes.

RTD has agreed that its service plan in 2035 would be somewhat similar to today’s, with a mix of express service and regular service. Currently, 25 percent of all buses leaving Boulder on weekdays do not stop at McCaslin. These buses will use the managed lane for a significant time savings. RTD is also considering

whether buses that stop at both Table Mesa and McCaslin would also make use of the managed lane if the general purpose lanes were congested. The city feels this is an important element to include in the service plan, which then informs the research done to justify the need for the additional lanes.

Opening the lanes to general vehicle traffic: A significant concern is whether the bus-only auxiliary lanes, once constructed, might be opened to general vehicle traffic at a later date. To date, Boulder has been strongly opposed to this potential outcome. The triggers language being developed for potential inclusion in the FEIS states that if general traffic were to be considered that it would require a “separate” NEPA process, initiating a new environmental clearance process. However, since the majority of the environmental impacts are associated with the disturbance caused by constructing the lane, changing the use of the lane may be relatively easy to justify given that it would reduce congestion on that particular stretch of highway.

The language in the triggers is an attempt to insure that a) the auxiliary lanes will only be considered when bus travel times deteriorate to a certain level, b) that a number of other options will be explored before the additional lanes are constructed, and c) if constructed, that the lanes will only be used by buses, and any change from that use would require a separate environmental process.

Including the environmental clearance of the lanes in the FEIS removes the biggest hurdle to building the lanes, as the document would, in essence, show that the impacts on adjacent lands, wildlife, air quality, and local plans (among others) are acceptable and necessary to accommodate future transportation demands. While the National Environmental Protection Act (NEPA), which defines the EIS process, requires that the Least Environmentally Damaging Practicable Alternative (LEDPA) be identified, NEPA does not require that the LEDPA be the final option selected.

Will they ever be built: Another consideration revolves around funding. The diminishing availability of funding for transportation at local, regional, state and federal levels, and the lack of strong prospects for changing this scenario in the short or mid-term make it unlikely that funding will be available to build these lanes anytime in the foreseeable future. The corridor governments have agreed that one managed lane in each direction is the shared priority for a Phase 1 investment. Other improvements, as laid out in Phase 2, would also likely be considered a higher priority than building the west end bus-only auxiliary lanes. If the lanes are restricted to bus-only use, an argument could be made that RTD would be asked to provide funding for the lanes. This could strengthen the argument that agreeing to environmental clearance of these lanes does not equate to seeing them built. On the other hand, a strong coalition could take advantage of opportunities like the current stimulus bill to obtain funding for the lanes.

Consistency with existing plans: The Transportation Master Plan (TMP) call for providing alternatives to single-occupant vehicles, such as transit. Both the Climate Action Plan and TMP call for reducing vehicle miles traveled, with the associated reduction in greenhouse gas emissions. Open Space policy direction generally calls for minimizing impacts on Open Space properties.

Open Space Impacts: Open Space and Mountain Parks (OSMP) staff examined the potential environmental impacts of the additional lanes using the limited information that has been made available. The project team was not able to provide a footprint of auxiliary lanes. The impacts from this project are direct destruction of native plant and animal habitat and agricultural lands. OSMP staff estimates that approximately 3 additional acres will be impacted, in addition to the 12 to 15 already impacted by the Combined Alternative. The proposed impacts, in addition to increasing the adverse effect upon species listed as threatened under the U.S. Endangered Species Act, wetlands, and 4(f) resources will affect at least one and maybe two designated State of Colorado Natural Areas and are also likely to affect prairie dog colonies. Throughout the U.S. 36 EIS process, it has been the position of OSMP staff and the Open Space Board of Trustees that all possible efforts should be made to avoid impact to city-owned OSMP lands and that unavoidable impacts should be minimized.

The project team will complete a thorough analysis of the environmental impacts of the proposed additional footprint, including more carefully identifying resource impacts and developing strategies to compensate for those impacts. Given the relatively large impacts to significant resources by the project, and the difficulties associated with mitigation, the environmental impacts could result in significantly higher overall project costs.

Approved By:


Jane S. Brautigam,
City Manager

ATTACHMENTS:

- A: Combined Alternative agreement
- B: Principles for Conditions and Triggers
- C: City of Boulder Response Guidelines



US 36 CORRIDOR
Environmental Impact Statement

**US36 Preferred Alternative Committee
Recommendation for a Combined Alternative**

July 9, 2008

The U.S. 36 Preferred Alternative Committee (PAC), a 21-member group comprised of agency representatives, elected officials and technical staff from local jurisdictions, was charged with collaboratively developing a 'combination' alternative for the U.S. 36 Corridor using elements evaluated during the Draft Environmental Impact Statement that, after additional analysis to verify that the selected elements effectively perform and achieve the project's goals, would be adopted as a Preferred Alternative that will be carried through the requirements of the National Environmental Policy Act.

BACKGROUND

The Colorado Department of Transportation (CDOT) and the Regional Transportation District (RTD), in conjunction with the Federal Highway Administration and the Federal Transit Administration, have been studying multi-modal transportation improvements between Denver and Boulder in the U.S. 36 Environmental Impact Statement (EIS) since 2003. A Draft EIS was released in August 2007 that evaluated a variety of transportation solutions within two "build" packages and a "no build" alternative for the U.S. 36 Corridor. The majority of public comments received during the Draft EIS sought a transportation solution that further reduced the community and environmental impacts, decreased project cost, and that still provided for increased mobility improvements.

Given the next step in the EIS process - to incorporate public comments, identify a preferred alternative and outline implementation phases, the agencies approached corridor municipalities in 2007 to complete this step in a collaborative manner. The U.S. 36 PAC was established to consider public comment, and identify an alternative consisting of elements outlined in the Draft EIS that would be advanced through the National Environmental Policy Act process in the Final Environmental Impact Statement (FEIS) to a Record of Decision.

RECOMMENDATION

The U.S. 36 PAC is recommending a 'combination' alternative that is responsive to public comments and long-term transportation needs that, after additional analysis, is expected to be adopted as the Preferred Alternative. The following describes the components of this multi-modal recommendation:

Transit

- Ramp and side-loading stations supported by parking facilities and local transit services, with specific premium components to support Bus Rapid Transit (BRT) operations. This could include, but is not limited to: special vehicles, prepayment technology to facilitate efficient loading, service image and identity treatments such as bus wraps, signal pre-emption, specialized marketing and transportation demand management. Facilities should include multi-modal connections to the existing and planned transportation infrastructure.*
- BRT Access to Table Mesa that consists of a transition of the Express Lane to a General Purpose Lane at a point west of Cherryvale Road. This lane would change the regulatory designation from Express to General Purpose and would result in a continuous through lane to 28th Street. This access requires only a one-lane traffic weave to the westbound 36 BRT side-platform ramp.*

Multimodal

- One buffer-separated managed lane in each direction of U.S. 36 from Pecos Street to the Table Mesa/Foothills Parkway interchange. Maintain existing reversible managed lane operations on U.S. 36 from Pecos to Interstate 25. While this lane is open to High Occupancy Vehicles and Single Occupancy Vehicle toll users, buses will have the highest priority, followed by HOV users. SOV toll and HOV use will be managed to ensure free flow conditions for bus travel.*
- Access to the new managed lanes will have separate, at-grade buffer openings between each interchange for entering and exiting traffic.*

Highway

- Ramp-to-Ramp auxiliary lanes for most segments of U.S. 36 from McCaslin Boulevard to I-25.*
- One new continuous eastbound general-purpose lane from Sheridan Boulevard to I-25.*
- One new climbing lane in each direction of U.S. 36 (westbound begins at McCaslin Boulevard; eastbound begins at Table Mesa) to the top of Davidson Mesa.*

Bikeway

- Adopt the west-end corridor alignment identified as the 'U.S. 36 Bikeway Option' in the Draft EIS public comments, which places the bikeway along the south side of the highway from Table Mesa to South Boulder Creek before traveling along the north side of U.S. 36 to McCaslin Boulevard.*
- From McCaslin to Sheridan, the bikeway aligns along the north side of the highway from McCaslin to Coal Creek, crosses to the south side of the highway and follows an*

access road under U.S. 36 to cross to the north side to Flatirons West, before returning along the south side through Broomfield.

- From Sheridan Boulevard to Broadway, the bikeway remains on the south side of U.S. 36 until Bradburn Boulevard, then travels south on Bradburn to 72nd Avenue, where it connects to the Little Dry Creek Trail.*
- Grade-separated bike crossings will be incorporated as interchanges are rebuilt. Additional connections to streets, trails and new developments also would be encouraged and supported as appropriate.*

Additional Analysis

Recognizing that this alternative will undergo additional analysis to verify consistency with the project's purpose and need, design and safety standards, financial feasibility, regulatory requirements and local municipality requests, the PAC recognizes that additional refinements may be necessary prior to declaring this alternative as the Preferred for the FEIS:

- Develop traffic simulation model at select locations across the corridor.*
- Evaluate and consider impacts of combined alternative on local arterials and other resources identified in DEIS.*
- Examine feasibility of aligning U.S. 36 bikeway along the south side of highway from Sheridan Boulevard to Broadway Boulevard provided there are no additional right-of-way takes.*
- Evaluate the benefit, cost and impacts of an 88th Street drop ramp to the managed lanes and local roads to improve access to and from the municipalities of Louisville and Superior.*
- Examine design refinements at Table Mesa to improve transit operations.*
- Evaluate inclusion of a Broadway slip ramp from southbound I-25 to westbound U.S. 36.*
- Examine additional measures to reduce right-of-way impacts.*
- Evaluate ramp volumes from Sheridan Boulevard to I-25.*
- Evaluate water quality and conveyance from U.S. 36 and opportunities to partner with jurisdictions to address problem areas.*
- Evaluate extension of climbing lanes on U.S. 36 between McCaslin Boulevard and Table Mesa to bus-only lanes as well as the use of shoulders for transit during peak travel periods. Identify 'triggers' for when this design approach would be considered.*
- Examine low cost options to connect U.S. 36 managed lanes to north I-25 bi-directional HOT lanes. Evaluate opportunities to facilitate travel time savings for buses not able to operate in managed lanes.*
- Assess specific premium components to support BRT transit operations. This assessment would consider, but would not be limited to, special vehicles, service image*

and identify treatments such as bus wraps, signal priority strategies (such as queue jump lanes) at interchanges, prepaid boarding, boarding and alighting all doors, specialized marketing, transportation demand management, adequate parking and local transit service and connections.

- *Identify logical projects with independent utility based on available funding.*
- *Research, analyze, and seek alternate funding mechanisms and project delivery methods to maximize the construction of identified logical projects as early as possible.*
- *Examine the feasibility of retaining the westbound I-270 access to Broadway.*

PHASING AND IMPLEMENTATION STEPS

The PAC has placed a high priority on congestion relief through the extension of the managed lanes in the initial phase of construction. Accordingly, the phasing and financing plan will focus on initially constructing useful components that improve transit time consistent with the preferred alternative. All implementation phases will be developed concurrently with the engineering, design, and construction analysis on the preferred alternative. These phases will be developed consistent with community priorities, agency approval, and the availability, eligibility and appropriate uses of reasonably available funding sources.


Stakeholders will aggressively pursue financing options in partnership with CDOT and RTD. Alternative financing options and project delivery methods such as design-build will be considered to accelerate implementation. The phasing plan should be sufficiently flexible to accommodate the requirements of specific funding sources as they become available.

FUTURE STAKEHOLDER ENGAGEMENT

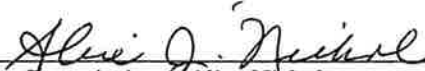
Future stakeholder engagement is necessary to complete the FEIS and reach a Record of Decision for the U.S. 36 Corridor. As the PAC's combined alternative advances through the FEIS analysis, the agencies will meet with stakeholders at established project milestones to share findings, gather input, and address concerns. The PAC will be an important forum for evaluation, communication and public involvement in development and analysis of the phased ROD. Regular project updates will also be provided through established stakeholder meetings, project newsletters, project website and public meetings.

U.S. 36 PREFERRED ALTERNATIVE COMMITTEE

We, the members of the U.S. 36 Preferred Alternative Committee, are committed to implementing the recommendations outlined above.


City and County of Denver, Bob Kochevar

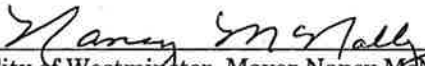
07/09/08
Date


Adams County, Commissioner Alice Nichol

7-7-08
Date


Jefferson County, Commissioner J. Kevin McCasky


7-9-2008
Date


City of Westminster, Mayor Nancy McNally

7-9-2008
Date


City and County of Broomfield, Mayor Patrick Quinn

7-9-2008
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City of Louisville, Mayor Charles Sisk

7-9-2008
Date


Town of Superior, Mayor Andrew Muckle

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Date


City of Boulder, Mayor Shaun McGrath


7/8/2008
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Boulder County, Commissioner Will Toor

6/26/08
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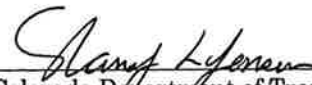

U.S. 36 PREFERRED ALTERNATIVE COMMITTEE

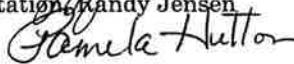
We, the members of the U.S. 36 Preferred Alternative Committee, are committed to implementing the recommendations outlined above.




36 Commuting Solutions, Christopher McShane

7-9-08
Date

Colorado Department of Transportation, Randy Jensen


7-9-08
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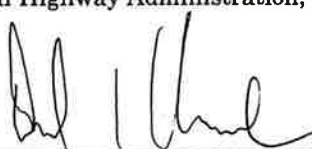
Regional Transportation District, John Shonsey

7-9-08
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Federal Highway Administration, Monica Pavlik

7-9-08
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Federal Transit Administration, David Beckhouse

7/9/2008
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ATTACHMENT B

DRAFT FOR COUNCIL CONSIDERATION

Principles for conditions and triggers For West End Lanes on US 36

February, 2009

Boulder will support including the bus-only auxiliary lanes in the FEIS provided that the following principles are honored in the FEIS language or corollary agreements:

TRIGGERS:

The bus-only auxiliary lane will be addressed and evaluated for construction only if certain bus-related "triggers" are met and only after a re-analysis process has been completed. The primary trigger will be:

- Significant degradation of average peak period bus travel times along US 36 in the segment between the existing McCaslin park-n-Ride and Table Mesa park-n-Ride due to persistent congestion.

Secondary triggers will be:

- Degradation of average peak period bus (DASH) travel times along South Boulder Road between the Table Mesa park-n-Ride and McCaslin Boulevard
- Degradation of average peak period bus travel times for Route 228 along McCaslin Boulevard between the McCaslin park-n-Ride at US 36 and South Boulder Road due to persistent congestion

The primary trigger must be met before the secondary triggers are considered. Such degradation should be compared to degradation of bus travel times on other corridors throughout the Region, with overall system degradation used to adjust the baseline on which specific US 36 degradation is based.

CONDITIONS:

The bus-only auxiliary lanes will only be considered after the managed lanes and bikeway are completed and operational between Table Mesa and McCaslin. The triggers are to be applied to this configuration.

If the triggers are met, the re-analysis process that will be initiated will include all US 36 communities along with FHWA, CDOT, and RTD representatives to develop and evaluate methods to improve bus operations. Goals of this process are to improve bus operations on US 36 and on parallel arterials.

The re-analysis process will follow the basic NEPA steps of establishment of need (based on current conditions), development of various options to respond to that need, including such options as, but not limited to,

- bus operations changes on US 36 or on parallel arterials, including increasing bus use in the managed lanes
- addition of queue jump lanes or signal priority for buses on parallel roadways
- peak-period bus use of shoulders
- congestion pricing
- building the bus-only auxiliary lane

Then the various options will be tested in an objective manner to determine the effect of each on bus travel times, bus-passenger travel times, safety, capital and operating costs, air quality, environmental impacts and other appropriate factors. The most cost-effective and practicable alternatives shall be implemented.

Full public and agency involvement will be included in the re-analysis process.

No use of the bus-only auxiliary lane for any other modes (such as general-purpose or HOV's) is included as a part of this FEIS. If such a use were to be contemplated in the future, a separate NEPA evaluation would be initiated to include:

- Full public involvement
- Full analysis of impacts
- Full agency involvement with FHWA, USACE, CDOT, RTD, and all US 36 communities

Sufficient need, based on 2035 modeling with reasonable transit operations plan assumptions, must be demonstrated for bus-only auxiliary lanes to justify environmental impacts and any inconsistency with local plans.

The footprint for the bus-only auxiliary lanes will not be disturbed until the construction of the auxiliary lanes is approved. Any acquisitions of right-of-way for the bus-only auxiliary lanes from the City of Boulder shall be deferred until the re-analysis has been completed.

The bikeway will be constructed as part of Phase 1, and will be included within a Phase 1 footprint for the section that traverses city of Boulder Open Space property. Any costs of relocating the bikeway to accommodate bus-only auxiliary lanes will be included in the costs of those lanes.

**City of Boulder Response Guidelines for the
US 36 Draft Environmental Impact Statement
As Approved by City Council on June 5, 2007**

The Boulder City Council approves the following policy guidelines to inform and guide responses to the US 36 Draft Environmental Impact Statement ("DEIS") by Mayor Ruzzin, Council's representative to the US 36 Environmental Impact Statement ("EIS") Corridor Governance Committee, after consultation with the City Manager or his delegates.

1. **US 36 MCC** - Maintain and support the regional coalition embodied by the US 36 Mayors and Commissioners Coalition ("MCC"). The MCC has been an effective and powerful voice advancing the interests and transportation solutions of the entire US 36 corridor. Without the coordinated efforts of the MCC, FasTracks plans and investments, the bikeway, the environmental studies, and fiscally constrained funding through DRCOG and the federal government would not have occurred.
2. **Resolving Access Issues for Communities Along Corridor** – All communities along the corridor have concerns regarding effective and open access to the various multimodal facilities. The City of Boulder supports addressing access design changes that facilitate community goals along the corridor. For example, in Boulder/Boulder County, the city supports BRT all the way to Table Mesa and facilitation of carpool access between McCaslin and Boulder. In Westminster and Broomfield, the city supports addressing design changes such that managed lane facilities benefit the communities and fit with their local plans.
3. **Consistency with Established Plans, Codes, Regulations and Policies** – The city supports aligning DEIS comments with policies established through existing master plans such as the Boulder Valley Comprehensive Plan, the city Transportation Master Plan ("TMP"), adopted goals and policies for the Transit Village Area Plan, and Council approved plans guiding the use and management of Open Space and Mountain Parks. In addition, the comments should require project compliance with City of Boulder codes, regulations and policies.
4. **Sufficiency of Analysis of Environmental and Community Impacts** – The city insists on a complete and thorough analysis from the US 36 EIS project team to consider impacts and potential mitigation for issues such as environmental impacts including noise and vibration and impacts to wetlands, threatened species and habitat for prairie dogs and other native plants and animals on Open Space, travel time benefits for various modes, and impacts on affected street systems. In estimating transportation impacts, local plans (such as the "TMP"), conditions, and current and projected travel mode splits must be incorporated into modeling and analysis, rather than solely relying on regional models and predictions. The city supports improvements that will not significantly impact Boulder's local transportation in a negative way, such as degrading level of service at intersections throughout the community. The evaluations should include consideration and suggested

improvements for multimodal systems including major existing transit facilities adjacent to the University of Colorado at Boulder and 14th and Walnut.

5. **Important Elements of Preferred Alternative** - The city believes there is not enough information currently to select a preferred alternative of the remaining two packages, or even a hybrid of those two packages, which is a potential outcome. However, it is possible to identify important elements of the final preferred alternative. The city supports a preferred alternative which:
 - Supports an effective multimodal package offering a bikeway, BRT, carpooling, managed or general purpose lanes, and transportation demand management elements, as supported by all of the communities along the corridor.
 - Provides priority to BRT and carpooling, and;
 - Manages performance of the corridor over the longer term
6. **Bike Path Alignment** - If impacts of the two alignments are similar, the city supports the parallel alignment along US 36 as it will better serve pathway users and provide a more direct transportation link. If further analysis shows that the Cherryvale/South Boulder Road alignment has significantly less environmental impacts, the city will decide which alignment should be recommended based on a comparison of the environmental impacts and the convenience and safety impacts on bicycle commuters between the two options. In comparing the cost and benefits between the bike path alignments, the tradeoffs should be considered expansively and should include the offsets to environmental impacts offered by on-site and off-site mitigation possibilities, and the detrimental impacts of less use by bicycling commuters on the longer alignment option.
7. **New General Purpose Lanes** – The west end of US 36 functions as a transition zone from a highway US 36 to regional arterials (Table Mesa, 28th Street and Foothills Parkway) into the Boulder community. It is essential that this transition be managed in a way such that there be support for mode choice and that the local street system is not overly impacted by new traffic. Therefore, the city supports the creation of new acceleration/deceleration lanes from McCaslin to Table Mesa, but does not support the construction of new general purpose lanes westbound on this section of US 36, because general purpose lanes are not consistent with the goals and policy direction of the TMP, the street system in Boulder does not have adequate capacity to accommodate significant new traffic, and the environmental impacts of additional lanes should be avoided.
8. **Dedicated Lane for BRT to Table Mesa** – Related to the above principle that the west end transition in a way that supports travel choice, the city supports design options for the west end terminus (“DOWETs”) that continues the dedicated lane for BRT all the way to Table Mesa, rather than truncating the BRT lanes at Cherryvale.
9. **Transportation Demand Management** – The city supports incorporating Transportation Demand Management (“TDM”) as both a construction management

technique as well as a long-term programmatic part of the corridor package. TDM will assist in managing good performance from the corridor in the near and far term. Programs such as Eco Pass, University Pass, telecommuting, flex-time and other strategies are cost-efficient strategies for getting the most effective transportation performance from the corridor.

10. Tolling/High Occupancy Tolling (HOT)/ High Occupancy Vehicle (HOV) Lanes

– The city is supportive of the concept of high occupancy tolling (“HOT”) for the managed lanes as long as deployment is focused on congestion management and benefits mode choice, both essential elements of the city's transportation policy. Deployment of HOT lanes must support expanding travel choices of BRT, and free HOV, as well as allow pricing to be used to help manage improved performance of the corridor. Specifically, SOV access should be managed through variable pricing to assure that HOV and transit travel is not unreasonably impeded; no toll should be charged for HOV or transit; social equity issues should be addressed through the appropriate reinvestment of toll revenues in transit in the corridor; and, access to the managed lanes should not create unreasonable adverse impacts to corridor communities.

- 11. South Boulder Creek Floodplain** - The design options for the West End terminus ("DOWETs"), which look at how the BRT lanes and other roadway improvements will be incorporated into the Table Mesa/Foothills/US 36 interchange, are located at a critical point in the South Boulder Creek Floodplain. This is a key location that is essential to the potential mitigation of flood impacts in the West Valley of South Boulder Creek. Review of the DOWETs should include consideration of existing West Valley flood impacts and mitigation alternatives. Money has been budgeted in the city's Stormwater and Flood Management Utility fund to begin flood mitigation planning in early 2008. Also, the city plans to submit flood plain mapping results to the Federal Emergency Management Agency (“FEMA”) in June. The city understands that FEMA will take 9 to 12 months to review these results. As the US 36 project continues through its design and approval phases, the city will request that the project team coordinate the interchange portion of the project with the new flood mapping study results and FEMA. Overall, the city would prefer that any flood issues be improved and, at a minimum, not made worse.